

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

September 26, 2024

LAURA A. AUSTIN, CLERK

BY:

s/A. Beeson
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DAVID LEE CRUEY, II,

Plaintiff,

v.

RANDY MULLINS et al.,

Defendants.

Case No. 7:24-cv-00326

MEMORANDUM OPINIONBy: Hon. Thomas T. Cullen
United States District Judge

Plaintiff David Lee Cruey, II, proceeding *pro se*, filed a civil-rights complaint under 42 U.S.C. § 1983 against Defendants Randy Mullins, Brandy Bishop, Crystal Large, and Laken Helton. (*See* Am. Compl. [ECF No. 6].) On July 8, 2024, Defendant Mullins moved to dismiss Plaintiff's claims against him under Federal Rule of Civil Procedure 12(b)(6). (*See* Def.'s Mot. [ECF No. 11].) That same day, the Court ordered Plaintiff to respond to Mullins's motion within 21 days and advised Plaintiff that his failure to respond could result in dismissal of this action for failure to prosecute. (*See* Notice [ECF No. 15].)

More than 21 days have elapsed, and Plaintiff has not responded to Mullins's motion. Accordingly, the Court will dismiss Plaintiff's claims against Mullins for failure to prosecute and comply with the Court's order. *See* Fed. R. Civ. P. 41(b).

The Clerk is directed to forward a copy of this Memorandum Opinion and the accompanying Order to the parties.

ENTERED this 26th of September, 2024.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE